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Express Mail Label No. EV 326 989 497 US

Attorney Docket No. 38797-8007.US00

## Amendments to the Specification

Please insert the following paragraph at page 1, line 3 of the specification, following  
5 the Title:

This application is a national stage filing of PCT Application No. PCT/US04/20338 filed June 24, 2004, which claims priority to US Provisional Application No. 60/482,630, filed June 25, 2003, both of which are hereby incorporated by reference in their entirety.

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IAP9 Recd PCT/PTO 23 DEC 2009

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**PATENT**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: *Harley et al.*

SERIAL NO.: Not Yet Assigned

FILED: Filed Herewith

FOR: **Compositions and Methods for  
Skin Conditioning**

EXAMINER: Unknown

ART UNIT: Unknown

CONF. NO.: Unknown

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**Preliminary Amendment**

15 Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

20 Prior to examination, applicants respectfully request entry of the following amendments.  
Amendments to the specification begin on page 2.  
Amendments to the claims begin on page 3.  
Remarks begin on page 6.

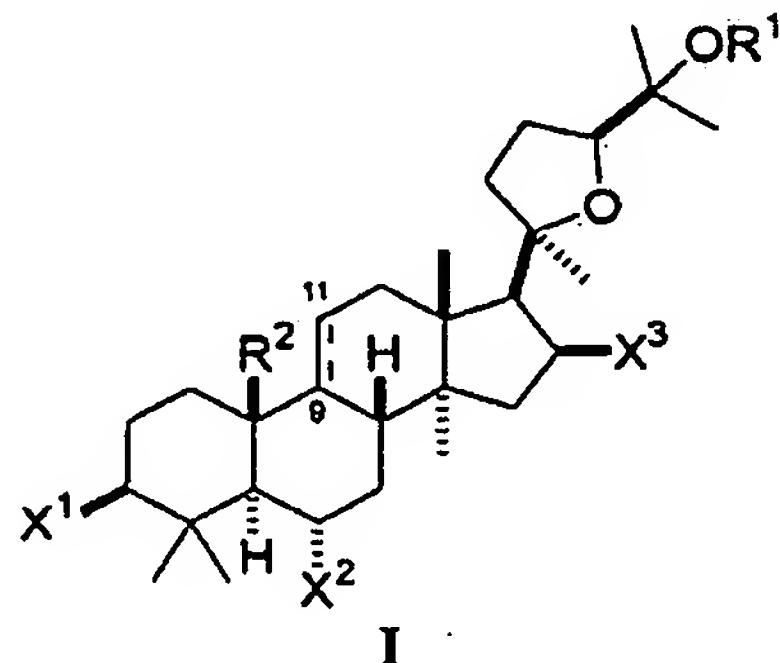
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## Amendments to the Claims

1. (Original) A method for conditioning the skin, comprising: applying topically to the  
5 skin a formulation comprising a compound of formula I:



where:

each of X<sup>1</sup>, X<sup>2</sup>, and X<sup>3</sup> is independently selected from hydroxy, lower alkoxy, lower  
10 acyloxy, keto, and a glycoside;

OR<sup>1</sup> is selected from hydroxy, lower alkoxy, lower acyloxy, and a glycoside;

wherein any of the hydroxyl groups on said glycoside may be substituted with a  
further glycoside, lower alkyl, or lower acyl, such that the compound includes a maximum  
of three glycosides; and

15 R<sup>2</sup> is methyl and \_\_\_\_\_ represents a double bond between carbons 9 and 11; or, R<sup>2</sup> forms,  
together with carbon 9, a fused cyclopropyl ring, and \_\_\_\_\_ represents a single bond between  
carbons 9 and 11;

and wherein said formulation further comprises an ingredient selected from the group  
consisting of an emulsifier, a surfactant, a thickener, a skin emollient, and a lubricant, and  
20 an ingredient selected from the group consisting of a preservative, an antioxidant, and an  
antimicrobial agent.

2. (Original) The method of claim 1, wherein said compound includes zero, one, or  
two glycosides, none of which is substituted with a further glycoside.

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3. (Original) The method of claim 2, wherein said compound includes zero or two  
glycosides, none of which is substituted with a further glycoside.

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4. (Original) The method of claim 1, wherein each said glycoside, when present, is of the D configuration.

5 5. (Original) The method of claim 1, wherein R<sup>2</sup> forms, together with carbon 9, a fused cyclopropyl ring; and --- represents a single bond between carbons 9 and 11.

10 6. (Original) The method of claim 2, wherein each of X<sup>1</sup> and X<sup>2</sup> is independently selected from hydroxy, lower alkoxy, lower acyloxy, and a glycoside, and X<sup>3</sup> is selected from hydroxy, lower alkoxy, lower acyloxy, keto, and a glycoside.

7. (Original) The method of claim 2, wherein X<sup>1</sup> is OH or a glycoside, each of X<sup>2</sup> and OR<sup>1</sup> is independently OH or a glycoside, and X<sup>3</sup> is OH or keto.

15 8. (Original) The method of claim 2, wherein the compound is selected from astragaloside IV, cycloastragenol, astragenol, astragaloside IV 16-one, cycloastragenol 6- $\beta$ -D-glucopyranoside, and cycloastragenol 3- $\beta$ -D-xylopyranoside.

20 9. (Original) The method of claim 8, wherein the compound is selected from astragaloside IV, cycloastragenol, astragenol, and astragaloside IV 16-one.

10. (Original) The method of claim 9, wherein said compound is astragaloside IV.

11-16. (Cancelled)

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17. (Currently amended) The method of claim 1 ~~or 11~~, wherein the concentration of said compound in said formulation is from 0.01 to 5% (w/v).

30 18. (Original) The method of claim 17, wherein said concentration is from 0.01 to 1% (w/v).

19. (Currently amended) The method of claim 1 ~~or 11~~, wherein the concentration of said compound in said formulation is greater than 0.005% and less than 0.1% (w/v).

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20. (Currently amended) The method of claim 1 ~~or 11~~, wherein the formulation further comprises one or more additional ingredients selected from the group consisting of an emulsifier, a thickener, and a skin emollient.

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21. (Original) The method of claim 20, wherein the formulation comprises one or more ingredients selected from an emulsifier and a skin emollient.

10 22. (Original) The method of claim 21, wherein the formulation comprises a skin emollient.

15 23. (Currently amended) The method of claim 1 ~~or 11~~, wherein the biological activity of said compound is such that a composition containing the compound at a concentration of 1  $\mu$ g/ml or less is effective to produce a telomerase activity at least 25% greater than observed in a vehicle control, as measured in a TRAP assay of keratinocyte or fibroblast cells.

20 24. (Currently amended) The method of claim 1 ~~or 11~~, wherein the biological activity of said compound is such that a composition containing the compound at a concentration of 1  $\mu$ g/ml or less is effective to produce an amount of cell refluence in a scratch assay of keratinocytes which is at least 25% greater than that seen in untreated or other control cells.

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## REMARKS

Entry of the above amendments prior to examination is respectfully requested.

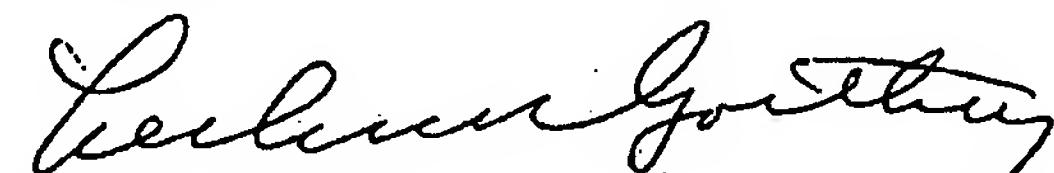
Claims 11-16 are cancelled without prejudice. Applicants reserve the right to file one or more divisional applications directed to the subject matter of these claims.

5      No new matter is added by way of these amendments.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4403.

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Respectfully submitted,



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Registration No. 37,337

15      Correspondence Address:

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